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Attorneys for Defendant,
T-MOBILE USA, INC.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

PHILIP MARTINET, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

T-MOBILE USA, INC., a Delaware
corporation,

Defendant.

CASE NO. 08-CV-0381-J (NLS)

JOINT MOTION FOR ADDITIONAL
EXTENSION OF TIME TO RESPOND
TO COMPLAINT

Judge: Hon. Napoleon A. Jones, Jr.
Courtroom: 12

1 Plaintiff Philip Martinet ("Plaintiff") and Defendant T-Mobile USA, Inc.
2 ("Defendant") hereby submit this Joint Motion for Additional Extension of Time to
3 Respond to Complaint.

4 **RECITALS**

5 WHEREAS, Plaintiff's Class Action Complaint ("Complaint") was filed with
6 the Court on February 27, 2008;

7 WHEREAS, Defendant was served with the Complaint on March 20, 2008;

8 WHEREAS, on April 9, 2008, the parties filed a Joint Motion for Extension of
9 Time to Respond to Complaint and a proposed order granting that motion, which
10 provided that the response to the Complaint be filed on or before May 9, 2008;

11 WHEREAS, on April 11, 2008, the Honorable Janis L. Sammartino recused
12 herself from the case and the parties' proposed order granting the Joint Motion for
13 Extension of Time to Respond to Complaint has not yet been entered;

14 WHEREAS, good cause exists for an extension of time to respond to the
15 Complaint to permit Defendant to further investigate Plaintiff's allegations, to allow
16 the parties to review the facts and intelligently discuss the claims asserted in the
17 Complaint with the goal of ensuring that the case proceeds in the most appropriate and
18 efficient manner and to afford adequate time for Defendant to prepare its response to
19 the Complaint following further discussions with Plaintiff's counsel;

20 **THE PARTIES HEREBY STIPULATE AND AGREE AS FOLLOWS:**

21 The time for Defendant to answer, move or otherwise respond to the Complaint
22 in this matter shall be extended for an additional thirty (30) days until June 9, 2008,
23 subject to the approval of the Court.

24
25 DATED: April 22, 2008

26 MERYL L. YOUNG
27 JARED M. TOFFER
28 GIBSON, DUNN & CRUTCHER LLP

By: /s/ Meryl L. Young
Meryl L. Young

Attorneys for Defendant,
T-MOBILE USA, INC.
E-mail: myoung@gibsondunn.com

DATED: April 22, 2008

JOSEPH G. DICKS
LINDA G. WORKMAN
DICKS & WORKMAN, APC

By: /s/ Joseph G. Dicks
Joseph G. Dicks

Attorneys for Plaintiff,
PHILIP MARTINET
E-mail: jdicks@dicks-workmanlaw.com

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CERTIFICATE OF SERVICE

I, Kimberly A. Spake, declare as follows:

I am employed in the County of Orange, State of California; I am over the age of eighteen years and am not a party to this action; my business address is 3161 Michelson Drive, Irvine, California 92612-4412, in said County and State.

I hereby certify that on April 22, 2008, the attached document was electronically transmitted to the Clerk of the Court using the CM/ECF System which will send notification of such filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrant(s):

Joseph G. Dicks jdicks@dicks-workmanlaw.com

I am employed in the office of Meryl Young, a member of the bar of this court, and that the foregoing document(s) was(were) printed on recycled paper.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 22, 2008.

/s/ Kimberly A. Spake
Kimberly A. Spake

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